

REMARKS – General

As per the following, applicants submit that patentable subject matter is clearly present. If the examiner agrees but does not feel that the present application is in condition for allowance **applicant respectfully requests constructive assistance for pro se inventors as per M.P.E.P 2173.02, and requests that the examiner write acceptable claims pursuant to MPEP 707.07(j).**

These amendments fall largely into the following categories:

- 1) Correcting formal deficiencies previously identified by USPTO.
- 2) Clarifying antecedent references, particularly by using the same words as the specification. This was clearly a source of difficulty in the original submission, where the claims used a more general term than the specification without clarifying references.
- 3) Detailing components that were only referenced implicitly in the prior submission, particularly where subsequent discussions have indicated that further clarification was required.
- 4) Adding claims with further restrictions.

In doing this, the claims have been re-partitioned and some new claims have been added, so there is not a 1:1 correspondence to the previous claims.

Since the revisions were substantial, they are done via replacement claims. If this is inappropriate for any reason, please advise.

Regarding additional prior-art references provided by USPTO after OA-2:

This discussion references the claim numbers as in the submission before OA-2, but the content also applies to the preceding amendments.

First, thank you for the additional prior-art references.

White (5,886,952) presents a remote control for an alarm clock, and thus establishes prior art for a timing device with a separate setting device. In White, the portion that implements the settings (the alarm clock) is never connected to the setting device (the remote control).

This contrasts with the previous claim 1 of the subject invention where the ear-piece ["alarm" in claim 1] implements the setting "when disconnected from the base station [setting device]", implying that it is initially connected. This distinction is further elucidated in the attached amendment.

The subject method provides a number of specific benefits beyond White, as detailed in the specification. These benefits include enabling a single base-station to support an unlimited number of ear-pieces. For a typical remote control as per White to operate multiple alarms it would require a separate code or for each, or other selection method. The claimed method provides this capability without such coding. Again, use of a single remote for multiple ear-pieces is neither anticipated nor implied by White, nor would it be sensible in the context of his invention.

Killion (6,453,051) further discloses (but does not claim) use of a remote control to set an alarm clock function in a hearing-aid. It cites a commercial hearing aid product with a remote control, and suggests adaptability of the methodology to setting an alarm. But again, Killion does not cover the case of an alarm that is connected to the setting device for programming, then removed for operation. Neither does Killion's solution provide the consequent benefits.

None of the prior art references cited have bearing on the previous claim 2 of the subject invention, which discusses the setting device (or base station) serving as the primary timing reference, so that ear-piece timing element drift does not accumulate over successive alarm settings. This is detailed in the specification. This two-part approach is clearly contrary to the intent of White (where the alarm clock has all but the setting functions). Killion is silent on the subject, discussing nothing other than setting an alarm time. The notion of automatically resetting the time reference when the alarm is enabled is neither discussed nor implied. It is an enabling detail that becomes apparent only after investing the effort of reduction to practice. However, the initial claims clearly would benefit from clarification.

Again, as detail in the subject specification, this approach greatly relaxes the accuracy requirements on the timing mechanisms, such as an ear-piece, simplifying the design and reducing cost.

The original claim 6 was intended to further restrict claim 2 to devices with an alarm setting. In the original submission this was incorrectly formatted as a lettered item under claim 2. The first amendment included a new mistake, incorrectly referencing claim 5 (rather than claim 2) as the antecedent. This clearly required correction, as done here.

Claim 7 as submitted, frankly, is unclear. A complete replacement in several parts is submitted here.

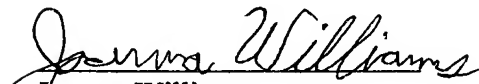
Conclusion

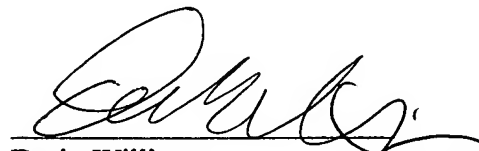
For the preceeding reasons, applicants submit that all claims are in proper form and define patentability over prior art. Therefore they submit that this application is now in condition for allowance, and respectfully request such action.

Conditional Request For Constructive Assistance

Applicants have addressed the issues stated in previous office actions. If, for any reason, this application is not believed to be in full condition for allowance, applicants respectfully request the constructive assistance and suggestions of The Examiner pursuant to M.P.E.P 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without need for further proceedings.

Remaining at your service,


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